

 STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES Policy and Procedure		POLICY AND PROCEDURE NUMBER 08.02.050	PAGE 1 of 3
		EFFECTIVE DATE July 3, 2006	
SUBJECT Employee Transfers		SUPERSEDES 22-1004	DATED December 15, 1978
CHAPTER Personnel Administration	SECTION Personnel	APPROVED BY <i>Mike Barton</i>	

PURPOSE

This formalizes the policy and procedure (P&P) of the department on two types of employee transfers between positions in the classified service – (1) a transfer into or within the department requested by an employee and (2) a transfer effected for the good of the service with or without the employee's consent.

POLICY

A transfer is "the lateral movement of an employee from one position to another position in the same job class or to a parallel job class at the same pay range without any break in service." (2 AAC 07.999(44))

An employee may request a transfer into or within this department to a position that, at the time of the request, is vacant or has a vacancy pending. A person with appropriate delegated hiring authority may approve such a transfer after receiving any required approval to fill the position and after satisfying the following procedure.

Except as limited by a collective bargaining agreement, a director¹ may transfer an employee for the good of the service after receiving any required approval to fill the position and after satisfying the following procedure.

Directors and persons with delegated hiring authority will consider the potential costs of moving a transferred employee to another geographic location and will ensure that the employee understands the extent to which the employee is responsible for the costs.

This policy addresses only transfers from and to positions in the classified service. The transfer of an employee to another department is not within the scope of this P&P. The movement of an employee within the local geographic area or to another geographic location while remaining in his or her position is not within the scope of this P&P.

¹ Director means regional or division director and system director or manager.

PROCEDURE

Transfer requested by an employee

An employee may (1) apply for a transfer by responding to a competitive recruitment or (2) request a transfer without responding to a competitive recruitment. If requesting a transfer, the employee will make his or her interest in the transfer known to a manager responsible for filling the position. The manager may require that the employee apply for the transfer by responding to a competitive recruitment, or the manager may consider the employee's request for transfer without a competitive recruitment.

If a transfer results from a competitive recruitment process, the manager will follow normal hiring procedures.

If a transfer results from a process other than a competitive recruitment, the manager will: (1) Consult the Division of Personnel before advising the employee and before taking any action on the transfer request. The Division of Personnel must address a number of considerations, such as preferential rights to the vacant position that may be held by other employees, consistency with the language of the applicable collective bargaining agreement, and determinations that a job class is parallel. (2) Obtain from the employee a written statement on whether he or she has a familial relationship² with any employee in the department, the identity of any such employee, and the description of the relationship. If a familial relationship exists, an approved *Declaration of Familial Relationships and Nepotism Waiver* form (nepotism waiver) is required before the position may be offered. The form is available on the Division of Personnel website. Nepotism waivers are approved for specific positions, so a waiver is required even if one has already been approved for the employee's current position.

When the Division of Personnel has approved the transfer and the commissioner has approved the nepotism waiver (if one is required), a person with appropriate delegated hiring authority may offer the position to the employee. The transfer is submitted to the Division of Personnel on a *Personnel Action Request Form*. The Division of Personnel will advise on other forms that may be required or desirable for a transferring employee.

The employee is responsible for notifying the outgoing supervisor of the transfer.

Transfer for the good of the service

A transfer for the good of the service requires consultation with and approval from the Division of Personnel before any steps are taken to effect the transfer. As with a transfer requested by an employee, familial relationships must be considered and an approved nepotism waiver may need to be secured. A transfer for the good of the service must be supported by written documentation that clearly establishes that the

² See the list on the *Declaration of Familial Relationships and Nepotism Waiver* form.

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transfer is for the good of the service. This documentation is normally prepared by the director for the deputy commissioner, whose written approval is needed before any transfer action is taken. A transfer for the good of the service that includes a change in location without the consent of the employee must be approved by the director of the Division of Personnel. In this context, location means outside the local geographic area.

Coordination with collective bargaining agreements

Nothing in this P&P is intended to conflict with any provision of an employee collective bargaining agreement. To the extent that a collective bargaining agreement and this P&P conflict, the collective bargaining agreement prevails.

AUTHORITY

2 AAC 07.235

IMPLEMENTATION RESPONSIBILITY

Deputy commissioners, directors, persons with delegated hiring authority, managers generally

DISTRIBUTION

All department employees via the DOT&PF website